

OSGOODE Continuum

OSGOODE HALL LAW SCHOOL OF YORK UNIVERSITY ALUMNI MAGAZINE WINTER 2003

Ontario's



Front Line

A look at Osgoode alumni in Ontario's highest political and judicial offices

Osgoode's High-Tech Revolution, Page 12 • Teaching in China, Page 17 • A Native Powerhouse, Page 20

(think big)



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At Osgoode Hall Law School we're thinking big, and with your help and commitment we will plant the seeds to grow the Osgoode Hall Law School Fund.

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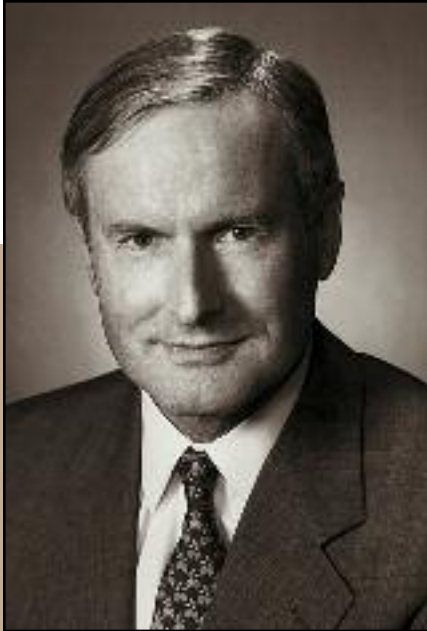
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We invite your letters and comments, and hope that you will keep us posted on where you are and what you're doing. Please use the enclosed reply card or send correspondence to:

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Dean Peter W. Hogg

I love writing and teaching, and I hate daytime TV, so I expect to continue my normal academic activities in the future.

The March of Excellence

This will be my last message in Continuum, because this academic year is the last of my five-year term as Dean, and a year later (having turned 65) I will retire from the University. I love writing and teaching, and I hate daytime TV, so I expect to continue my normal academic activities in the future, albeit at a somewhat less busy pace.

In the first two years of the Deanship, I developed a Plan for the Law School, which has guided our development over the ensuing years. Following the Plan, we have developed the use of information technology in our teaching, our administration, and in our communications. We have expanded small-group teaching in first year, introduced more systematic teaching of professional responsibility in first year and in upper years, introduced a writing requirement into upper years, introduced more structure and better progression (in the form of curricular streams) in the upper years, and greatly expanded opportunities for our students to take a semester of study abroad.

The research-stream graduate program has grown to 60 students, about half of them pursuing doctorates. Our coursework LLM, now taught from our new Professional Development Centre in downtown Toronto, has nearly 400 part-time students pursuing 12 different specialties. We are starting to use video-conferencing and Internet technologies to offer these programs in centres outside Toronto. During the fall term (with my colleague Patrick Monahan), I taught a constitutional law LLM class that met on Wednesday nights in Toronto, Ottawa and Regina – a wonderful experience for Patrick and me, and I hope for the students.

We have improved services for our students, including a financial assistance officer, who administers a huge program of financial aid to students who now struggle with high tuition. We have two career services professionals, who provide the information and help with the skills necessary to find summer and articling jobs (and who will help alumni with career moves as well). Academic support for students in difficulty, and administrative support for study abroad programs have also been enhanced.

We have a strong advancement team of four professionals who help with fund raising, alumni relations and communications, and I hope that readers of Continuum have noticed that these functions are more effective than ever before.

At the last two Convocations, the graduating students astonished me (and everyone else) by giving me a standing ovation when I got up to deliver the Dean's address. Those were moving experiences. Working with the students (who continue to be very active in Law School affairs) has been one of the great joys of being Dean. I think that the students, the faculty and the alumni share my sense that Osgoode is the best place to be, and that we must keep on working to make it even better. ☼



**Madam Justice Sandra Chapnik,
Alumni Association President**

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Excitement About the Possibilities Still to Come

It has been such a busy year for the Law School, the Alumni Association and the Advancement team that I hardly know where to begin.

To start, I would like to offer greetings to fellow alumni from the Alumni Association and my fellow Board members. I would also like to express our appreciation to two long-standing Board members who have retired this year: Ian Beverley and Rhonda Cohen. We thank each of them for their significant contribution to the Board of Directors and the Law School. With the two vacancies comes change and two new Board members – Elizabeth Goldberg '74 and Yair Szlak '00 – to whom we extend a warm welcome.

Since this magazine was last published, we have welcomed a new Director of Alumni Relations, Gillian McCullough; celebrated the Class of 2002 Convocation; established the Dean's Newsletter; completed an alumni survey; and launched a new Web site (www.osgoodealumni.ca). In addition, we have celebrated nine class reunions; awarded the Alumni Gold Key Award to nine of our most outstanding alumni; held a successful Homecoming weekend featuring guest speaker Madam Justice Louise Arbour; established two new Chapters of the Alumni Association; welcomed the Class of 2005; placed 220 first-year students with mentors and developed a seminar series target-

ed to young alumni. And that's just to name a few initiatives.

As we look ahead to 2003, I am excited about the possibilities still to come. With the guidance of Gillian McCullough, the Alumni Association will become more actively involved in the strategic planning process, engage alumni in campus life and look for innovative ways to increase communications with all alumni.

I am looking forward to one event, in particular. The Award of Excellence Dinner will take place on Thursday, February 20, 2003 at which time the Law School will bestow its highest honour, the Robinette Medal, upon three distinguished alumni: Austin M. Cooper, Q.C. ('53), the Hon. Hilda M. McKinley ('66) and Arthur R.A. Scace, Q.C. ('65). It promises to be a glorious evening, showcasing three of our most illustrious graduates. I hope many of you will join us on this special occasion.

As you can tell, there are many opportunities for Osgoode alumni involvement. On behalf of the Board of Directors of the Alumni Association, we welcome your active participation in alumni affairs. Whether it is celebrating a class reunion, homecoming, volunteering in your local area, becoming a mentor or recognizing a fellow graduate, the success of these programs depends on you. Get involved and stay connected! ☺



Photography by Nik Sarros

Congratulations to our 2002 Gold Key Award recipients (*standing, from left to right*): Nicholas P. Paul, Q.C. '60; Reuben M. Rosenblatt, Q.C. '59; A.Winn Oughtred '67; Bonnie A. Tough '76; Judy N. Boyes, Q.C. '79; Linda L. Fuerst '81; Ronald D. Manes '71; Art Vertlieb, Q.C. '72; and John H. Tory, Q.C. '78.
(*In the front row, left to right*) : The Honourable Madam Justice Sandra Chapnik '76; Verlyn Francis '95; and Dean Peter Hogg.

Do you know an exceptional Osgoode graduate?

Nominations may be mailed or e-mailed to:

Advancement Office
Room 415
Osgoode Hall Law School
York University
4700 Keele Street
Toronto, ON M3J 1P3
Fax: 416-736-5629 or
E-mail: alumni@osgoode.yorku.ca
Phone: 416-736-5638

The Board of Directors of Osgoode Hall Law School Alumni Association has created an award known as the Osgoode Hall Law School Alumni Gold Key Award to honour outstanding alumni who have made contributions to the Law School.

This is your opportunity to nominate an Osgoode alumna or alumnus for a prestigious Gold Key Award, which will be given out on Saturday, October 4, 2003 as part of Homecoming Weekend festivities.

The Awards Committee shall consider the following criteria in making its selection:

- contribution to the quality of education and welfare of the Law School;
- promotion of the Law School nationally and internationally;
- support for Student Services through supplementing and diversifying the educational experiences available at the Law School, and
- recognizable contribution to the community at large.

Nominations must include the following:

- statement by the nominator outlining why the candidate should receive the Award;
- letters of reference from two people who are familiar with the candidate's Law School contributions;
- any other supporting documents.

Deadline for receipt of 2003 nominations is Friday, May 2, 2003

For more information, visit the Alumni Web site at www.osgoodealumni.ca

OSGOODE ALUMNI SHINE IN LEXPERT MAGAZINE SURVEYS

Results of three Lexpert Magazine surveys in 2002 confirmed that Osgoode alumni are at the top of their game.

The first survey, which ran in the July/August issue, identified Canada's **Top 25 Corporate Litigators** and "what makes them tick." The following five Osgoode alumni – the most alumni from any one law school – made the list:

Earl A. Cherniak,
Q.C. LLB '60
Lerner & Associates LLP

Thomas G. Heintzman,
Q.C., O.C. LLB '66
McCarthy Tétrault LLP

James A. Hodgson LLB '70
Hodgson Tough Shields

Harvey T. Strosberg,
Q.C. LLB '69
Sutts Strosberg LLP

Benjamin Zarnett LLB '75
Goodmans LLP

Then in September, the magazine published the results of its survey of the **Top 40 under 40** lawyers in Canada, and Osgoode had the highest number of graduates of any Canadian law school.

The Lexpert survey, which examined 28 practice areas, defined a top performer as someone who "adds 127 per cent or more value than an average performer and that he or she can be a magnet for

other top talent." The selections were made on the basis of such things as questionnaire scores and endorsements from firm colleagues, high IQ, and high Emotional Intelligence (EQ) and personality assessment.

The following 11 Osgoode alumni, culled from a list of 5,344 potential candidates, were singled out as "top performers:"

Cameron Belsher LLB '87
Geoffrey Belsher LLB '91
Paul Boniferro LLB '91
Tamara Farber LLB '93
Sandra Forbes LLB '90
Michelle Lally LLM '98
Lynn McGrade LLB '88
Vincent Mercier LLB '88
Peter Osborne LLB '90
Alon Ossip LLB '88
John Tobin LLB '87

In the third Lexpert survey, which ran in the November/December issue, Osgoode had the third largest number of graduates among the **Top 30 Corporate Dealmakers**. The Osgoode alumni are:

Alan Bell LLB '73
Blake Cassels Graydon LLP
Neil de Gelder LLB '78
Borden Ladner Gervais LLP
David Jackson LLB '72
Blake Cassels Graydon LLP
Dale Lastman LLB '82
Goodmans LLP



Paul Martin, former Finance Minister and touted successor to Prime Minister Jean Chrétien, outlined a platform of House of Commons reforms during a speech Oct. 21 to Osgoode students. Left to right: Associate Dean Patrick Monahan, Legal & Literary Society President Shannon Rattray, Paul Martin, Dean Peter Hogg.

Photography by Babak

GERMAN SCHOLAR WINS DIEFENBAKER AWARD

Gunther Teubner, a professor of private law and legal sociology at the University of Frankfurt and a permanent visiting professor of comparative law and legal theory at the London School of Economics, will spend a year researching at Osgoode as winner of the 2002 John G. Diefenbaker Award. The award provides \$75,000 from the Canada Council for the Arts, and a travel allowance of \$20,000 from the Social Sciences and Humanities Research Council of Canada.

SPRING CONVOCATION 2002

Professor William Twining received his Honorary Doctor of Laws (LLD) degree from York University and addressed convocation at the Osgoode ceremony on June 14. Formerly Quain Professor of Jurisprudence at University College, London, Twining has been highly influential in defining new approaches to legal education and legal research in the United Kingdom and around the world.



Professor Harry Arthurs (centre) was awarded the first-ever Killam Prize in the social sciences on April 25 at Rideau Hall. With Arthurs, from left to right, are: Dean Peter Hogg, Professor Susan Drummond, Penny Arthurs, and York University President Lorna Marsden.



Left to right:
Mariana Semini,
Pam Ryder-Lahey,
Larry Taman,
Vangjel Kosta,
John Claydon,
Tefta Zaka,
Arta Mandro

OSGOODE HELPS TRAIN ALBANIAN JUDGES

by Virginia Corner

Mariana Semini, an associate professor of law at Albania's Magistrates' School, is acutely aware of the daunting challenges judges face in her country.

A fledgling legal system with a poor record of enforcing judgments; uncertainty about the law due to foreign inspired legislation and lack of published court decisions; lack of access to even basic legal sources such as treaties binding on Albania; and little computerization make the Albanian judge's job an extremely difficult one.

It was with these issues in mind that the Magistrates' School, which began in 1997 as a compulsory three-year training ground for lawyers in Albania who want careers as judges, approached the World Bank for assistance in developing courses and materials for the school.

"As an institution, the Magistrates' School has an obligation to raise the capacity and professionalism of judges in Albania," said Semini, a member of an Albanian delegation who recently turned to Osgoode for help in course development. "We have a new generation of judges who need continuous training. However, the budget of the school is a limited one. We need financial support to organize the training."

Larry Taman, a former Osgoode faculty member and Deputy Attorney General for Ontario, was one of the first people to get wind of the World Bank project.

He, in turn, approached John Claydon of Osgoode's Professional Development Program and then submitted what turned out to be the win-

ning proposal to design four courses, as well as supporting materials, for the Magistrates' School in the areas of Alternative Dispute Resolution, Intellectual Property, Private International Law and Courts Administration. Taman, who is the founder of Justice Reform International, is now administering the project.

The first phase was the completion of a needs assessment, done by Claydon and Taman in Tirana in June of last year. From July until November, three Osgoode faculty members (Claydon, Paul Emond and Janet Walker, with assistance from a colleague, Professor Carys Craig) put courses and course materials together in collaboration with their Albanian colleagues — Professors Vangjel Kosta, Arta Mandro and Mariana Semini of the Magistrates' School and Tefta Zaka, a former judge of Albania's Constitutional Court.

In mid-November, the Professional Development Program hosted a week-long session for the Albanian delegation, which involved finalizing the materials as well as demonstrating and practising a variety of teaching methods.

"One of the objectives of the project is to create a team of trainers who can continue in Tirana on their own," Semini explained.

The final phase will involve another teaching education session in Albania early in the year, and the new courses will be taught starting in February.

"We have set up a friendly working relationship, one in which we are learning from each other and exchanging experiences," noted Semini.

Adds Claydon: "This project reflects Osgoode's long-standing commitment to improving the quality and administration of justice and is also in line with more recent initiatives towards internationalizing legal education at the Law School. Involvement with such issues as course design and teaching methodology, and the opportunity to recommend appropriate laws and judicial practice in a country that is building a new legal system, has the potential for enhancing teaching and research at Osgoode." ❁

Ontario's Front Line



by Christine Ward

It's not every day that Osgoode can count a Premier, four Cabinet Ministers, a Chief Justice and two Associate Chief Justices among its alumni ranks but that's exactly what's happening in Ontario at the moment. The fact that two more Osgoode alumni recently stepped down as Chief Justice and head of the Ontario civil service, respectively, adds to the tremendous pride we feel in the accomplishments of these Osgoode graduates who are profiled on the following pages.

Still, it would be good to see more female Osgoode alumni in Ontario's highest political and judicial posts. Given that we have been admitting more females than males into our three-year LLB Program in recent years, and more female than male students in the graduating class of 2002 said they are articling with the federal, provincial and municipal governments, we expect that will happen in the future.





Carl De Faria
Minister of
Citizenship &
Minister
Responsible for
Seniors



Donald Ebbs
Associate Chief
Justice of the
Ontario Court of
Justice



Ernie Eves
Premier of Ontario

Ask Carl DeFaria, LLB '76 about Osgoode and he'll tell you the story of a semester spent giving free legal advice at Parkdale Community Legal Services.

"Parkdale affected me both personally and professionally because it's a walk-in practice for people who are struggling to make ends meet." The experience garnered DeFaria a handful of like-minded law school friends and a focus for the kind of community-oriented practice he aspired to after graduation.

DeFaria and his wife, Riina, also an Osgoode grad, opened their own small, storefront law firm just a few blocks north of Parkdale in 1978. He continued to practice private criminal and constitutional law until being elected to the Ontario Legislature in 1995 as the MPP for Mississauga East. He was re-elected in 1999 and currently serves alongside fellow Osgoode alumnus Premier Ernie Eves as the Minister of Citizenship and Minister Responsible for Seniors.

"I wanted to go to Osgoode because of its excellent program. At the time Osgoode was — and still is — one of the best law schools in Canada," says the Minister, who financed his studies with night and weekend work as an emergency social worker for the Peel Children's Aid Society.

Still, DeFaria says he wasn't prepared for the intense studying it takes to earn an LLB. "The amount of reading in first year really shocked me. I don't think I adjusted until sometime in my second year."

While he describes most of his professors and fellow students as supportive, the self-described "average student" is equally certain his appointment to the Eves Cabinet took them all by surprise.

"For sure, no one would have expected me to become a Cabinet Minister!"

Donald Ebbs, LLB '67 surely remembers his Osgoode classes, especially the camaraderie of the "grand 'ole place" and the odd visit to the nearby courts when the lectures were simply too much to handle.

But he wants to talk about curling.

It was 1965 or '66 and the night of the great electrical blackout that stretched from Boston through eastern Canada. "I was on the rink taking the breaking shot for the Osgoode team when the lights went out. We could hear the stone hit, but we had no idea which way it went."

On the rink and off, Ebbs worked hard, graduating from Osgoode a few years later and spending four years in general practice in his hometown of Peterborough. In 1973, he founded his own firm with two others. He devoted the next decade to wide ranging practice that included real estate and criminal law, and some municipal work — the kind of varied legal services that are critical to a small town.

Then, in 1983, Ebbs was appointed to the Bench. He presided in Windsor and London before being assigned to Toronto in 2001. In addition to being Associate Chief Justice of the Ontario Court of Justice, Ebbs is responsible for overseeing the province's 310 Justices of the Peace.

Thirty-odd years after graduating, he says a lot of Osgoode students remain his good friends. Of the 200 or more students who began their legal education with Ebbs in 1964, about 160 graduated. "The combined theoretical and hands-on, practical training served us well," says the Associate Chief Justice.

Now, about that curling stone. Ebbs says he honestly doesn't know where it hit. But he still can't help but wonder if he won the game for Osgoode.

It was 1967 and Ernest Larry Eves, then a 21-year-old, second-year political science and economics student at the University of Toronto, had yet to reply to Osgoode's offer of admission. When Professor R.J. Gray called, "I told him I had changed my mind and didn't want to attend law school," remembers Eves.

That wasn't good enough for Gray.

At lunch a short time later, the Assistant Dean made an earnest plea on behalf of Osgoode. Eves laughingly claims that Gray had as much to say about the benefits of attending Osgoode as he did about the Law School's golf team. "He told me a law degree is something no one can ever take away. And, besides, he said, we sure could use someone with a single handicap."

By the time Eves graduated in 1970, he was in the top fifth of his class. "He wasn't a gold medalist," remembers Gray, now an Osgoode professor emeritus who taught torts and medical-legal law, "but he was in the top part of his class [and he] was terrifically affable, the kind of a guy that his peers liked and respected."

Other professors of that era scratch their heads. They can't picture Eves in their classes. Why would they? He wasn't *the* Ernie Eves then.

But Eves remembers Osgoode.

"Most striking," he says, "was the camaraderie and collegiality of the people I went to school with, students and professors alike. And the practicality of the degree. It was down-to-earth knowledge taught by practising professionals."

Back then, Eves' wife might have thought otherwise. At last year's Bruce Bryden Alumni Recognition Awards dinner at York University, where he was presented with a Bruce Bryden Alumni Recognition Award for Achievement for political and community service, Eves told the story of returning home from class with the news that he had earned top marks in taxation law. "Tax law?" his

wife exclaimed. "Who ever heard of somebody majoring in tax law?"

It could be construed as a portent. Who knew that Eves would one day be Ontario's Finance Minister? Who knew that the student Kitchener Crown Attorney John Robb remembers as a very thin, "very serious fellow," with jet black hair would become the province's 23rd Premier?

Called to the Bar in 1972, Eves practised law in Parry Sound until he won his first provincial seat there in 1981 – by six votes. "Landslide Ernie" represented the Muskoka-area riding for 20 years until he resigned in February 2001 to work for an international bank. Less than a year later, Ontario Premier Mike Harris announced his retirement and Eves, whom Harris had once called "the smartest man in the world," jumped into the Progressive Conservative leadership race and won. Shortly afterwards, he was elected in the riding of Dufferin-Peel-Wellington-Grey. Now he's running the province.

In the two decades he was at Queen's Park, Eves rose from backbencher to Mike Harris' right-hand man. As Finance Minister from 1995 to 2001, he oversaw SuperBuild, restructured Ontario's financial institutions and Ontario Hydro, privatized Highway 407 and Bruce Nuclear Power and wiped out the deficit. He has been Government House Leader, Minister of Community and Social Services and of Skills Development, and Provincial Secretary for Resources Development Responsible for Native Affairs.

Eves is equally proud of his community service, which all started at Osgoode when he joined Big Brothers. Later in Parry Sound, he founded Big Brothers Association of Parry Sound and won the Kinsmen Clubs of Canada Outstanding President's Award for his work for children with cystic fibrosis. He continues on the advisory board of Vince Carter's foundation, Embassy of Hope, which helps disadvantaged young people. And he still advises the Justin Eves Foundation, which he established in memory of his son who died seven years ago in a car accident. The foundation provides scholarships to youth with learning disabilities who are working toward a college or university degree.

But it's in his job as Premier that Eves speculates his law degree has figured most prominently. The study of law in

general is "tremendously beneficial," he says, especially for its problem-solving lessons. "And, right, now," he jokes, "I have more than my fair share!"

That doesn't mean there isn't still time for the odd game of golf. Just this summer, Eves and R.J. Gray played a round, bringing back fond memories of Osgoode. "R.J. hasn't changed a bit", says Eves. But it's Gray who always gets the last word.

"Ah, Ernie Eves," he says, smiling. "Leader of the huddled masses."

** With files from Martha Tancock,
York Communications Officer*



Jim Flaherty
Minister of
Enterprise,
Opportunity and
Innovation

In 1970, Jim Flaherty, LLB'73 was a book-toting law student by day and a taxi driver at night.

More than 30 years before becoming Ontario's Minister of Enterprise, Opportunity and Innovation, the young Osgoode scholar drove a cab three nights a week and during the summer to help pay tuition . . . and keep his priorities straight.

"It keeps you grounded when you deal with all kinds of folks who take taxis," says the Princeton sociology grad, "especially on Friday and Saturday nights in Toronto."

His plan worked. After graduating from Osgoode in 1973 and some work with a small law firm, Flaherty co-founded a successful "boutique" civil litigation practice in Toronto, specializing in insurance law. Soon after meeting his wife, fellow lawyer Christine Elliott, the pair opened a law office in Whitby, where Flaherty remained until the government's handling of the thorny auto insurance debate ignited his passion for politics in the 1990s.

Flaherty was first elected in 1995, but the affable member of provincial parliament is probably best known as Minister of Finance in the Harris government . . . not to mention his close second-place finish to fellow Osgoode alumnus Ernie Eves

in the Tory leadership vote in March.

Today, Flaherty is minister of the province's newest portfolio focused on economic growth — what he jokingly calls the "ministry of vowels." Even here, he says, his Osgoode days resonate for their lessons in analytical thinking.

"As a Cabinet minister, I'm challenged to distill that which is important, identify issues and arguments and, hopefully, arrive at and advocate a reasoned conclusion."

With this kind of challenge on the go, it seems fair to ask if Flaherty still relies on a running meter to keep him grounded, but he only admits to trading his driving gloves for mittens.



**Andromache
Karakatsanis**
Former Secretary
of the Cabinet and
Clerk of the
Executive Council

"I have a great group of friends from Osgoode that I still see on the ski slopes."

In her second year at Osgoode, Andromache Karakatsanis, LLB'80 had one of those rare, life-changing glimpses into how the law impacts real lives.

She was on the phone with a client of Parkdale Community Legal Services when the distraught woman announced she had swallowed pills in a suicide attempt. Karakatsanis kept her on the line and talked until the ambulance arrived.

Twenty-four years later, Karakatsanis is still driven by a passion to help people in need and make our community a better place. After four years in private practice, she joined the Ontario Public Service in 1987, serving in a series of positions that included Chair and CEO of the Liquor Licence Board of Ontario, Secretary of the Ontario Native Affairs Secretariat and Deputy Attorney General. In June 2000, she became head of the Ontario Public Service in charge of the province's 60,000 public servants.

"For many of my jobs, being a lawyer was not a prerequisite, but it was an advantage," she reflects. "The discipline of the analytical rigor, to see two sides to every issue, has been very helpful in

every capacity.”

While Karakatsanis resigned from her public service post in November – much to fellow Osgoode graduate Premier Ernie Eves’ regret – she hasn’t strayed far from her original vision. She now serves as a judge with Ontario’s Superior Court of Justice in Toronto.

“I consider the Bench to be public service as well,” she says.

Some would say the province’s newest judge has come full circle. After being called to the Bar in 1982, she served as a law clerk with the Chief Justice of the Ontario Court of Appeal. The experience was top of mind on Karakatsanis’ first day back at the courthouse in December.

“When I arrived at Osgoode Hall,” she laughs, “I remembered the first day



Patrick LeSage
Former Chief
Justice of the
Superior Court of
Justice for Ontario

of my first job as a lawyer.”

Former Chief Justice Patrick LeSage, LLB ’61 had an ace in his pocket when he applied to Osgoode Hall Law School in 1958.

He was a good friend of Buck’s brother who told him “Buck will look after you.”

It just so happened that “Buck” —more commonly known as Allan Leal — was the incoming Dean. He and LeSage grew up in the village of Tweed, halfway between Ottawa and Toronto, where the Judge drove delivery truck for his dad and uncle’s fuel business. After completing a commerce degree at the University of Ottawa, LeSage returned to the family business, this time as the office manager and bookkeeper.

His friend’s prophetic advice proved accurate. “He was generous and kind,” recalls LeSage of Leal. “Someone I could turn to,” which is exactly what LeSage did when it came time to article. The Dean directed the young law graduate to Bob Rutherford (Osgoode 1950) at Phelan, O’Brien, a civil litigation firm in Toronto,

where LeSage began his career rather modestly by defending motorists charged with traffic offences.

In 1963, he joined the Crown Attorney’s office, rising to Director of the province’s Crown Attorneys. He was a judge by age 39, working his way through the county and district courts until his eventual appointment as the province’s top trial judge in 1996, a job he inherited from fellow Osgoode graduate Roy McMurtry.

LeSage is probably best known for presiding over the murder trial of Paul Bernardo. Associate Chief Justice at the time, he earned a reputation for dignity and open-mindedness rooted in a deep regard for justice – attributes LeSage credits, in part, to his Osgoode education.

“At Osgoode we learned the values that are the cornerstones of law and the legal system and their place in a democratic society.”

On September 1, LeSage stepped down from the helm of Ontario’s Superior Court of Justice to spend six months as Senior Resident at the University of Toronto’s Massey College. He’s scheduled to return to the Superior Court as a supernumerary



Roy McMurtry
Chief Justice of the
Ontario Court of
Appeal

judge in April.

It’s not every day that a student gets to boss around his teacher. Even when it’s a former teacher and the student is chief law officer of Ontario.

R. Roy McMurtry, LLB’58, LLD’91 was Attorney General for Ontario Premier William Davis when he called upon Allan Leal, his mentor and former Dean of Osgoode Hall Law School, to serve as Deputy Attorney General in 1977.

“Allan’s first day on the job was during the Easter break. I was on vacation with my family in Jamaica,” recalls McMurtry, now Chief Justice of the Ontario Court of Appeal. The absent McMurtry assured his deputy the day would be uneventful. After all, the House wasn’t sitting.

But that didn’t sway the gunman who took 14 hostages at the Bank of Canada

across the street. McMurtry’s office became point-central for the police chief and his forces.

Still, the Osgoode graduate and Leal remained fast friends. Likewise for many of McMurtry’s school chums, many of whom attended the Chief Justice’s 70th birthday celebrations in May.

When not in the classroom, McMurtry’s law school years were spent on the football field. In fact, the young Osgoode student was recruited by the Montreal Alouettes, an offer he later rescinded in favour of his studies and a part-time coaching job.

After graduating in 1958, McMurtry practised as a trial lawyer for 17 years before being elected to the Ontario Legislature in 1975. While Attorney General, he introduced more than 50 provincial statutes and personally committed the government to creating a bilingual court system in Ontario. He also argued the landmark 1981 Supreme Court of Canada constitutional case that led to the Canadian Charter of Rights and Freedoms.

But no one, he figures, least of all his Osgoode professors, could have predicted his rise to the Chief Justice chair in 1996.

He laughs. “They probably thought I was more interested in football than the law.”



Dennis O’Connor
Associate Chief
Justice of the Ontario
Court of Appeal

There’s no doubt in Dennis O’Connor’s mind that his Osgoode experience was positive, not to mention enduring.

Seventeen years after the Ontario Court of Appeal Justice graduated from Osgoode, he returned as a part-time member of the Law School’s faculty teaching trial advocacy every Tuesday night for the next five years while practising law by day.

“I enjoyed the practice of law and welcomed the opportunity to teach practical

skills to the students at Osgoode," he says.

After leaving Osgoode for the second time, O'Connor continued as a private litigator in a wide array of fields, including administrative law and constitutional cases. He was appointed to the Court of Appeal for Ontario in 1998 and two years later was chosen to lead the judicial inquiry into the tainted water crisis in Walkerton, Ontario.

O'Connor's rise to prominence as Commissioner of the Walkerton Inquiry gives him pause now to reflect on the choices that got him there. "In my third year at Osgoode, I thought about what direction my career would take," he says. "My decision came down to a choice between becoming a tax lawyer articling with a large firm in Toronto or going with Arthur Maloney, a prominent criminal lawyer.

"I sometimes wonder how different my career would have been had I chosen tax law."

Most certainly O'Connor would not have received the Walkerton appointment that earned him wide-ranging respect for doing a job that was thorough, honest and empathetic.

And likely not the promotion that followed to the second-highest judicial position in the province. Today, O'Connor serves as Associate Chief Justice of Ontario alongside fellow Osgoode grad, Chief Justice Roy McMurtry.

Still, one thing is for certain.

Says O'Connor: "I have always thought the legal education I got at Osgoode gave me a wonderful base for developing as a

sor Arthur Scace, Chair of the Canadian Opera Company. The Chair of the National Ballet School, Marie Rounding, also happens to be married to former Osgoode professor Ron Atkey.

And then there are the phone calls from York University President Lorna Marsden on SuperBuild funding — one of Tsubouchi's accountabilities as Chair of the Management Board of Cabinet.

A little too close for comfort, perhaps? Not so, says Tsubouchi. "I very much enjoyed my time at Osgoode, the friendships, the great professors, and I had a lot of fun playing hockey."

Tsubouchi spent six years on York's campus, completing an undergraduate degree in English literature before beginning his law studies. While at Osgoode he juggled a 30-hour-a-week job as a lumber yard clerk — one of a series of part-time jobs including short-order cook, waiter and truck driver that helped to finance his education.

For the 15 years following law school graduation, Tsubouchi practiced corporate, commercial and real estate law. He was elected Markham MPP in 1995, following six years on Town Council. He's held several portfolios since, including Community and Social Services, Consumer and Commercial Relations and Solicitor General, all under the Mike Harris government.

Through it all, he has remained proud of his Osgoode education. As the Solicitor General in charge of public safety in the province, for example, Tsubouchi says he leaned hard on his legal lessons. "Thank God I took courses in criminal law."

It's this kind of connection that makes the Minister sit up a little straighter when his secretary announces Lorna Marsden's call. He laughs. "It's hard to say no to the President of your alma mater."



David Tsubouchi
Minister of Culture

lawyer and eventually as a judge."

David Tsubouchi, BA'72, LLB'75 has some sage advice for future generations of Osgoode law students: Be nice to your professors . . . and the University President.

As Minister of Culture in the Ernie Eves government, Tsubouchi knows what it's like to run into former instructors later in life. He has regular dealings with former profes-

sor Arthur Scace, Chair of the Canadian Opera Company. The Chair of the National Ballet School, Marie Rounding, also happens to be married to former Osgoode professor Ron Atkey.

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It's this kind of connection that makes the Minister sit up a little straighter when his secretary announces Lorna Marsden's call. He laughs. "It's hard to say no to the President of your alma mater."

If you have a driving ambition to turn Ontario's Attorney General red-



David Young
Ontario's Attorney
General and
Minister
Responsible for
Native Affairs



Osgoode's High-

by Phil Surguy

Photography: Nik Sarros

Everywhere you look around Osgoode Hall Law School are signs of the electronic changes that have been transforming the School over the last three years. While the rustling of pens and pencils on paper is still faintly heard, the predominant sound underlying professors' lectures is now that of students' fingers patting laptop keys. At the start of Tom Johnson's first-year contracts and second-year commercial law classes, students are told that these are pretty well the only sounds they can make, because in-class questions aren't allowed. Some are shocked, but all are pleased to learn that they won't have to buy a casebook.

Rooms 104, 106 and 206 are now "smart" classrooms. Mounted on the ceiling of each is a projector, which can throw images from the lecturer's laptop and book pages onto the two big screens above the chalkboards. To ensure that every student can see the boards and screens, the rooms have been gutted and refitted with the lecture theatre equivalent of stadium seating, and the students sit at tables, in the surface of which are plugs for their laptops. When needed, there is Internet access, as well.

There's also a simple cart laden with 20 wireless laptops and all the technology required "to turn any seminar room into a room in which 20 students can have access to the Internet," says Simon Fodden, director of Osgoode's Legal Education Technology Centre. "Of course, we also have a mobile projector, so any room can in effect be turned into a smart classroom."

With Webcams and the Web's audio capability, the students in such a room could see and speak to people in any similarly equipped room in the world, but that technology is not yet wholly reliable. So, last June, a video camera and monitor were wheeled into Room 410, and Boniface Ahunwan, a doctoral candidate, defended his dissertation on global corporate governance. The Osgoode examiners were in the room with

him, while the external examiner, Professor Sol Picciotto, a leading scholar in international business regulation, was in a video room at the University of Lancaster in England, participating as fully as he would have if he'd been in Toronto.

The ISDN phone lines were relatively expensive. But, says Osgoode's Craig Scott, Associate Dean, Research and Graduate Studies, who did a lot of pioneer work in international on-line and videoconference seminars at U of T's Faculty of Law before his recent move to Osgoode, it was much cheaper than air fare and accommodation, assuming that Picciotto would have agreed to fly to Toronto for less than a day's work.

Ahunwan's video-enhanced defence was the first at Osgoode and probably York. Scott calls it an exciting precedent, because even for doctoral defences, Osgoode can't afford to fly people in from very far away, "and for financial reasons, we tend to have to scout around the local area, especially for the masters theses, using a limited range of universities, and you don't necessarily find the best external examiners."

A primary but easily overlooked consideration here is that today's students expect technology to deliver such advantages. They've never known a world without video and computers, and for many, the Web is not so much a tool as part of their sensory apparatus. So, it must sometimes seem strange, being aware that the wired world is evolving daily and having to deal with people who are still coming to grips with technology that evolved ages ago.

For example, many students ask why their exams can't be written on computers. Some complain that writing by hand hurts their fingers. Last year, a class finally told their professor that printing material for them was a waste of her and their time, because they then had to input it into their computers, and she could far more easily put it on her Web site for them to download.



Tech Revolution

And last summer, a student working at a major law firm was bemused to see the older partners getting their assistants to print documents, take dictation and look things up. She and her contemporaries, she says, find that it's usually faster to do one's own typing, and many other tasks are simply a matter of clicking on an icon. But, she adds, 10 years from now, when she is at a senior level, she expects to have an assistant.

"But they'll be someone who's helping me manage my clients. An assistant who can print something for you or line up a document won't be valuable. An assistant who knows your clients and who needs attention and all that will be someone who's valuable."

Plan for the Law School

Osgoode's high-tech revolution began, largely from scratch, on April 4, 2000, when Osgoode Faculty Council approved Dean Peter Hogg's Plan for the Law School, a central objective of which was "to prepare for the future by becoming the leading law school in the use of computer technology and by strengthening teaching and research in areas affected by developments in computer technology."

"These developments were inevitable," Hogg says, "and it was only really a question of whether you're a leader or a follower. We pride ourselves on usually being the leaders, and I'm very happy to think that we are now, for the moment at least, the leaders in legal-education technology, as well."

At the time, only a few faculty were even aware of the promise of tech-enhanced education. For instance, Simon Fodden's interest in the Internet had led him to learn how to create a course Web site. Above all, for about three years, Tom

Johnson had been exploring the possibilities of the Web and other technology on his own. He now seems to be part of a major evolution in legal pedagogy.

While no other Osgoode professor has come close to embracing technology to the degree that Johnson has, the School has been radically altered over the last three years, due in large part to several fortuitous circumstances, which greatly accelerated the process.

The first was that, in April 2000, at York's Glendon campus, Mario Therrien and his Information Technology Services (ITS) team had the skills and experience that Osgoode needed, having spent five years developing the means by which a number of Ontario universities could deliver courses to remote Francophone communities via the Web – in effect, creating a virtual university. With the development phase near completion, Therrien then faced the prospect of laying off good people and seeing others look for more challenging work.

Happily, Osgoode created its own ITS department, and Therrien and his people went to work for it, too. "There are about 15 of us," he says. "The Law School pays for perhaps five, but if it needs more people, we can pull them in from Glendon and vice versa." Their job was to help draft and then implement a three-year plan.

The next fortuitous event was the Canadian Union of Public Employees (CUPE) strike and picket lines at York University in the fall of 2000. Osgoode arranged for lectures to be given off-campus. For scheduling and other reasons, not everyone could attend, so ITS recorded all lectures, then streamed them on the Web, thus making them available at any time. It was an important catalyst. "It showed the faculty and students what IT could accomplish, and it compelled ITS to be inventive and to come to attention pretty quickly," Simon Fodden says.

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Fodden had retired as a full-time faculty member in 1999 and was teaching part-time. After the strike, he became the Director of Osgoode's new Legal Education Technology Centre with responsibility for training faculty in the use of technology. One of the Centre's primary jobs, he says, "is to ensure that we make the highest and best use of technology in teaching and research." And, Fodden adds, "I'm the middle man, the smiling face on technology. I know my colleagues, and I can mediate between the IT guys and the faculty."

Complexity and Cost

This short article can only begin to suggest the complexity and cost of that technology. To cite just two expenditures, wireless laptops are now available to students on loan in the Law Library, and hubs enabling wireless access to the Internet have been installed, not only there, but everywhere in the building. Those three smart classrooms, which cost \$250,000 each, were paid for by three law firms: Fasken Martineau DuMoulin LLP, Goodmans LLP and McCarthy Tétrault. Last fall, Rita Thompson, in memory of her husband, Ted ('74), donated the funds for a fourth classroom.

In all, Osgoode now spends \$750,000 a year on information technology, says Ross Irwin, Assistant Dean, Administration and Planning. Over the years funds for technology have been provided by The Law Foundation of Ontario, which has been giving the School an annual comprehensive grant for more than 20 years. "In the past fiscal year," Irwin continues, "they also made a special one-time grant of \$200,000, which was allocated to the installation of computers in the graduate carrels, the purchase and installation of

our electronic notice board in the mixing area and general Web development." Moreover, some three years ago, the Law Foundation contributed two-thirds of what has grown to a \$910,000 endowment fund, the income from which goes entirely to technology.

For a glimpse of how all that money is spent, look at Mario Therrien's February 2002 report on the past year's accomplishments, which reads in (very small) part: "Replaced 40 computers in the lab, cascaded 39 computers to graduate student carrels, installed 93 new network drops, installed a wireless network in the library and other public spaces, acquired two video capture stations, developed H.323 videoconferencing capability with ISDN bridging via the Glendon bridge, upgraded electronic classroom computers, acquired a wireless lab,

designed a new Career Services Web site, redesigned the main Osgoode Web site ... and continued to roll out faculty course Web sites."

Yet, however complex all this may seem, Therrien essentially has two key jobs. The first is to keep thinking at least a year and a half ahead of current technology, so as not to be sandbagged by unexpected developments. The second is to make the technology, if not invisible, as friendly as possible, especially those faculty Web sites.

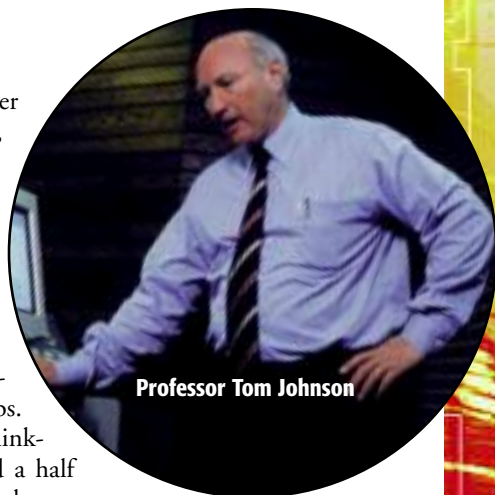
Professors' Web sites could well become at least as important as their lecture rooms, and among many other things, they'll have to know how to manage chat groups, maintain the security of grades postings, archive audio and video streams and, above all, post cases, notes and other material as Web pages for their students to download. Yet, most professors have never had the time, skill or even interest to create and maintain such an infrastructure.

When they were working on the virtual university, Therrien's group got around the problem by creating a suite of simple Web tools for the faculty. It wasn't perfect, but it worked. Then, in another fortuitous turn, just as the team was starting at Osgoode, Lotus released its QuickPlace Web collaboration tool. With it, Therrien says, anyone can easily make a document "blossom into a Web page" and do many other tasks. "Basically, it's what we had dreamed about for a long time, and we had built the expertise to support that kind of platform, so we were ready to roll, and in two years, about 85 per cent of our professors had Web sites, which is quite incredible. It's probably the biggest success story we've had."

Beyond a stipulation that first-year courses must have Web sites, the faculty has not been forced to get them, and most professors who have them, Simon Fodden says, "turn them into repositories for their lecture notes and PowerPoint slides and links to interesting material. They become resource bases."

Not all the students are dazzled. As Dan Seeley-Baechler, third year, puts it, "It's kind of a toss-up. Some sites are just 'Here's what time class is and here's how to reach me,' but other professors do a lot more posting, putting up lecture outlines and so forth." For her part, Caitlin McCain, second year, did her undergraduate work at Acadia University, "which is kind of completely on-line, and all the students have laptops. They're included in tuition." At Osgoode, she's done the bulk of her research on-line, but hasn't been in any Web-based discussion groups.

So far, Osgoode's innovative use of Web-based teaching has largely been confined to Tom Johnson's classes and communication with distant universities. Professor Picciotto's stint as a virtual external examiner was a good example of the latter. Another



Professor Tom Johnson



Left to right:
John Davis, Mario Therrien, Simon Fodden

is the coming in-the-flesh visits by Dr. Gunther Teubner, an exciting European legal theorist from the University of Frankfurt. Nominated by Osgoode and York's Centre for German and European Studies, he has won the Canada Council's Diefenbaker Prize, enabling him to come to Osgoode for two four-month periods in the summer/fall of 2003 and again in 2004. "And between those stretches, we will beam him in for seminars, and he will interact with us virtually," says Associate Dean Craig Scott. "Rather than a phone line, we'll probably just try Webcam."

In a similar vein, Osgoode students working abroad on exchange will soon be able to take a seminar course called the International Comparative and Transnational Law Colloquium. Initially, they will have access only to Web-archived audio tapes of the seminars, but there are plans to enable them to monitor the seminars live, via Webcam, and even present their works-in-progress the same way.

The Web is also the medium of global classrooms. Although these can be enhanced by video, Webcams and audio, they are primarily on-line discussion groups, with the participants posting their contributions on Web sites. Though he no longer participates, Law, the Individual and the Community: A Cross-Cultural Dialogue, the global seminar that Craig Scott created in 1997, is still offered to students at Osgoode and two universities in Hong Kong and Finland. New this year is Internet Regulation and the Free Flow of Information, offered by Osgoode, the University of Hamburg, University College London and a New York Law School group.

Scott's first global classroom seminars, with the National University of Singapore, were video conferences, which had several problems, the least of which being the cost and the time differences between Toronto and Asia. The core problems are found in all seminars and classrooms: the students have little time to reflect on what they are going to say, and most of the talking is usually done by a minority, who might have pertinent points to make, but are often only enjoying the music of their own voices. And this is a big reason why Tom Johnson won't allow questions in his first-year contracts and upper-year commercial law classes. Questions are only permitted in small break-out sessions. Before coming to those sessions, students have to work through on-line assignments, dealing with topics addressed in the previous week's lectures.

Enhanced Level of In-Class Conversation

"I want to begin the in-class conversation, when permitted, at an enhanced level, and through using the Web students are encouraged to engage in peer-based learning before coming to class," he says. Thus, on his Web site, they will find downloadable outlines of coming lectures in PowerPoint and Word, as well as annotated and highlighted cases, statutes and other readings in Adobe Acrobat. There's a chat room for each class and

private discussion forums for the five-person pods into which Johnson groups the first-year class.

Danna Donald, a student who's taken both courses, says she downloaded the outlines into her laptop and input notes into the document as Johnson delivered his lectures. During each lecture the lecture outline was always on one screen, while on the other, Johnson projected the readings from the Web site and other material. But it wasn't a static show-and-tell. As Donald puts it, "He'd say, 'See this provision, where you must disclose this? That's because of this regulation.' And then he would go to the Web to find the specific regulation. It really integrated everything, and you saw how some obscure provision in a statute worked in real life. That is his big thing. He's not just showing you obscure statutes, but here's how it works, here's why it's like that."

Between lectures, in the chat rooms, students work out the answers to questions they would normally have asked in class; and the pods solve problems they have been given. Everyone participates, taking care to think out their offerings and express them clearly. Though he seldom intervenes on the virtual sites, Johnson watches the talk closely, basically looking for two things: signs that an individual needs special help and indications that a particular point needs clarification.

And if this seems like bloodless, asocial automated learning, Johnson says, "The class discussion usually operates at an enhanced level, because students must read the material, address the issues raised by their assignments, put their thoughts on paper and address the responses of their classmates, all before walking into class. That is very different from me acting as an oracle at the front of the class." There is also, he notes, a fair amount of social chatter amid the on-line work, and in the cafeteria, he often sees pods sitting around tables discussing the problems he has set. Or perhaps social things.

Last spring, Osgoode hosted ETALK, a gathering of faculty and others from law schools across the country who are implementing IT in legal education. One recurring point, made in numerous ways, was that technological change is not simply a matter of installing equipment and getting people to use it. Countless other details must be thought of and dealt with. Cost, of course, was a persistent topic, and much of the talk concerned ways to share resources, which is not as straightforward as it might seem. To take only one example, what happens to provincial school-funding formulas when, say, an Edmonton professor's seminar is open to virtually any law student in the country?

Yet another issue was ways of compensating faculty for the time required to develop new IT-based courses and teaching tools. At present, there is no way, and few people can afford to give away even a fraction of the countless hours that Tom Johnson has voluntarily expended over the last seven years. As one delegate put it, "Should younger faculty be writing papers or doing this?" These and innumerable other questions drive home the fact that not only is this a time of great change, no one can tell when it will stop.

And as John Davis, Osgoode's law librarian, points out, the

Continued on next page

The National Seminar Room

How Osgoode's Professional Development Program is reducing the distances in distance education

Although there's considerable doubt about the benefits of using videoconferencing in undergraduate classrooms, except in special circumstances, this technology has enabled Osgoode's Professional Development Program (PDP) to enroll and interact live with part-time Master of Law (LLM) students across Canada.

According to PDP Director John Claydon, there are 15 part-time LLM specializations, with eight or nine running at any one time, and about half of those are delivered via a combination of videoconferencing and local teaching. That is, in each three-hour class, the main teaching is usually done by Osgoode professors, who are at the downtown Toronto PDP Centre with the students. They teach for about half the class time. In the other half, the video connection is cut, and the group in each city discusses a problem under the leadership of a local instructor. Then the video is restored and the groups report on and discuss their findings with the class as a whole. The local discussions are called break-out periods.

In Toronto, they are led by the main instructors, who circulate the problems and discuss them via conference call with their colleagues in the other cities before each class. It's not an ironclad format. For example, in the securities program, the small Edmonton group has no local instructor, and hooks up with the Calgary group during the break-outs. And in the constitutional law course that Dean Peter Hogg and Associate Dean Patrick Monahan began teaching this fall, the students in Regina and Ottawa take turns leading the local discussions.

"You have to teach the classes very differently," Hogg says. "For one thing, we were advised that, with this technology, it is ineffective for any one person to talk for longer than 20 minutes, so we don't. The second and most difficult thing is it's very hard to get a freewheeling discussion going with students in three different sites." Hence, the break-outs, which fuel the inter-city discussions.

For his part, Monahan has found that the technology doesn't just allow Osgoode to reach distant students, it also provides a way for some outstanding students and others to enhance his teaching. For instance, he says, "we recently looked at the Quebec secession case that went to the Supreme Court of Canada in 1998. In Regina, we invited John Whyte, who's a former Dean at Queen's and was also the Deputy Attorney General of Saskatchewan for a time. He had appeared as a counsel in the Quebec case. In Ottawa, one of our students, Warren Newman, had been counsel for the Attorney General of Canada in the case, and I had been counsel for Guy Bertrand, the lawyer who had initiated it. So, it was really a very interesting and informative discussion for all of us, including myself as the course instructor. I've found that I'm learning as much from the students as I'm teaching to them."

The Osgoode Professional Development Program has been using videoconferencing for two years now, and even in that time, says Claydon, "The technology has improved considerably. It's much cheaper than it was five years ago and it's a lot better. We find that we're really facing fewer and fewer technical issues. It's still pretty expensive to use, and we've been quite fortunate that we've had local facilities donated to us by law firms and government departments. To have access to those facilities is a great advantage to us. We get it because people in many of these areas wouldn't have access to this type of education if we didn't provide it."

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IT revolution has now been going on for almost half a century. As a result, although Osgoode's three-year IT plan is reaching a fruitful conclusion, no one believes it's the end of anything. For his part, among other things, Davis is looking forward to the still rather distant day when wireless technology will allow "students to bring their Rogers and Sympatico connections to school with them, rather than relying on the university infrastructure."

Among other things, Mario Therrien wants to give lawyers and students the ability to perform any on-line or computing task anywhere at any time. Thus, he's been studying the possibilities of turning the little Blackberry Personal Digital Assistant into a powerful computer. The actual computing, he found, could be done by remote servers, which would beam the results to the screen. The tricky part appeared to be keyboard size, which apparently couldn't be made much smaller than it is now. Then, in yet another fortuitous turn, a rubber keyboard, which can be rolled up and stuffed into a pocket or a purse, recently came on the market.

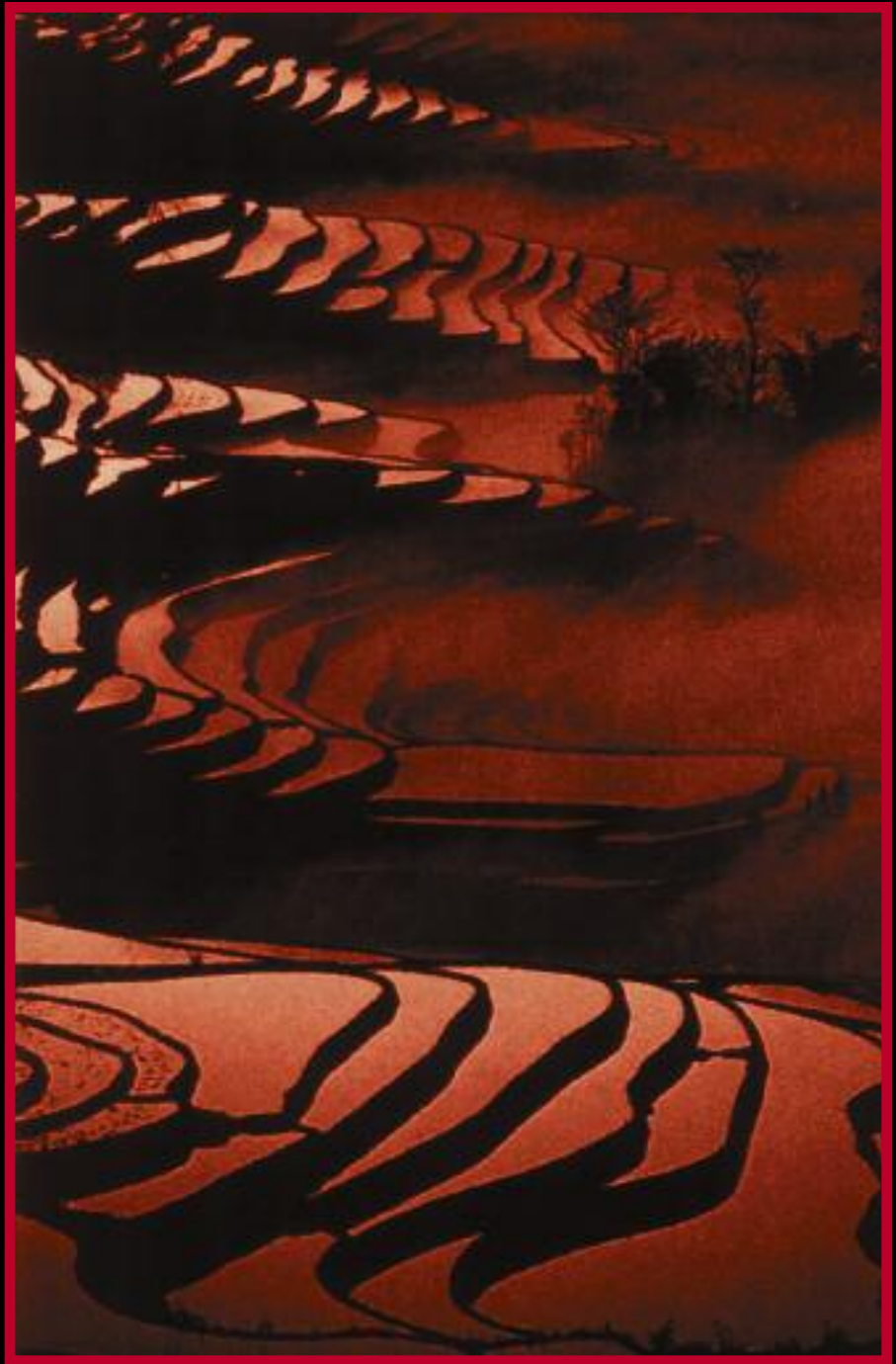
Looking back, Simon Fodden says, "It sounds like boasting, but it isn't. The simple fact is that, in the last two or three years, we've made huge strides, and now I don't think there's any doubt that, of the common law schools in Canada, we're the one that makes the best use of technology at the moment." At the moment.

Looking ahead, he says he hopes the changes will ultimately "cause us to reflect on our pedagogy and change it for the better. We're a really good law school, but all law schools get caught in pedagogical ruts, and it's easy to simply fall back on lecturing. The opportunity we have now has to do with the fact that you can present information over the Internet in a variety of different ways and become liberated, in effect, to use class time for something else."

Then, glancing back a moment, he reflects that, to some degree, much of the School's technological change was sparked by the dot.com frenzy. "In effect, we got lifted by that tide," he says. "The tide's gone out, but we're still climbing." 🌀

Teach in China

by Christine Ward



On September 6, 2002, Lisa Barnet '02 and Ummni Khan '01 boarded a plane for Chongqing in China, leaving behind a prestigious articling position and a \$30,000 scholarship to Columbia Law School.

For nine months, the pair is participating in Osgoode's Teach-in-China Program, a teach-abroad partnership with Osgoode's sister-school, Southwest University of Political Science and Law. Launched in 1991, the program is a vital part of Osgoode's ongoing efforts to strengthen international ties and provide unique teaching and learning opportunities.

Several months after arriving at their home-away-from-home in Chongqing, an industrial port on the Yangtze River about 2,500 kilometres west of Shanghai, Lisa Barnet and Ummni Khan agree life is anything but ordinary.

There's the profound culture shock of moving to a new country where signs are indecipherable, honking drivers squeeze into spaces not fit for a 10-speed and tipping a server could be construed as offensive. The pollution, hanging like a veil over the City of Chongqing, is an especially bitter pill set against the breathtaking view of the mountains and Yangtze River.

"I know now what it feels like to be illiterate. Ummni and I wandered the streets, not being able to recognize names on buildings, streets signs, constantly asking ourselves, 'Does this look familiar?'" – Lisa Barnet

University, workers live in shacks — haphazard brick walls with plastic sheets overhead. This alongside the University's air-conditioned "hotel" with its relatively palatial-sized rooms and 40-channel colour TV.

But the Osgoode grads say these experiences pale when compared to the warm hospitality of their Southwest colleagues, and the rewards of building a curriculum from scratch and

"I'm running my class the way I was taught in many ways. Assign readings, understand the principles and then try to engage and deconstruct them. Yes, we're slowly finding our rhythm."

– Ummni Khan

to advanced, says Khan of Southwest's LLB students. "They struggle to find the English words that can capture their complex ideas." So, she and Barnet are working hard — with the help of free access to QuickLaw, Lexis and WestLaw — to structure seminars and assignments that capture the students' legal

Both women are taken aback by the city's overwhelming poverty juxtaposed with incredible displays of wealth. Even on the grounds of Southwest

University, workers live in shacks — haphazard brick walls with plastic sheets overhead. This alongside the University's air-conditioned "hotel" with its relatively palatial-sized rooms and 40-channel colour TV.

But the Osgoode grads say these experiences pale when compared to the warm hospitality of their Southwest colleagues, and the rewards of building a curriculum from scratch and inspiring classes of Chinese law students with a western-style legal education.

The students are incredibly bright and enthusiastic, but their English ranges from beginner

knowledge and improve their English language skills.

As part of Southwest's "legal faculty," each is teaching undergraduate classes in legal terminology and the common law legal system, as well as a graduate level course in international business transactions. Next semester, they'll lead a couple of comparative law courses about globalization and will co-teach a program on international trade, a timely subject given China's year-old commitment to the World Trade Organization.

"It's a tough job," admits Khan. But this was to be expected.

While Osgoode has nurtured ties with Southwest University since the mid-1980s and participated in the Teach-in-China Program for just over a decade, Barnet and Khan are part of a handful of program 'firsts.'

Until now, Osgoode's Teach-in-China participants taught mostly legal English with no fixed curriculum or standards. This year, says Professor Jinyan Li, Osgoode's Teach-in-China Program director, grads are accountable for developing innovative teaching materials in legal subjects like comparative law, international business transactions and international trade. This is in addition to a one-day-a-week internship at a local, full-service law firm.

"We've also collaborated with Southwest to improve the status of Osgoode's ambassadors while abroad," says Li.

Unlike their predecessors, Barnet and Khan are considered visiting members of the Southwest faculty with a vested interest and say in programming and theory, and an active role in extracurricular activities. Barnet, for example, is helping to coach two teams preparing for the Jessup International Mooting Competition and the International Commercial Arbitration Moot, where, ironically, she will face off against her alma mater.

This kind of full immersion into the Chinese educational experience is exactly what Professor Emeritus Bill Angus had in mind when he first visited Southwest as director of Osgoode's Graduate Program in 1986. This meeting-of-minds proved the springboard for a broadly envisioned partnership that has grown to include the Teach-in-China Program, faculty and student exchanges, publication sharing, student study tours of China and a burgeoning collaborative research program.

Just this past year, for example, Southwest's vice president, Professor Zeyuan Zhuo, completed an 11-month sabbatical at Osgoode, where he finished a research project on jurisprudence in Canadian legal scholarship.

But it's the Teach-in-China Program that really strikes a chord for Angus, who, after founding the program in 1991, served as its director until his retirement in 1996. Even now, he is a member of the committee that selected Barnet and Khan and will soon consider next year's applicants.

China Program

"Teach-in-China is an opportunity for Osgoode's graduates to pursue a broadening of their perspectives through teaching," he says. "And it looks very good on a resume."

As a result of their experiences abroad, a number of Osgoode alumni have pursued international teaching careers; others are practising international business or trade law.

Although Barnet had to delay articling to travel to Chongqing, she says her firm was very understanding and supportive of her decision to participate in the Teach-in-China Program. The experience of living and working abroad, especially in a hot market like China, is a boon to any Canadian law firm. Ottawa's McCarthy Tétrault knows it. They've already hired Barnet as an articling student beginning in September 2003.

The benefits are equally great for Osgoode.

"We already have an excellent reputation in Asia," says Li. "This program is added value to the claim that we have a thriving international program." Osgoode's worldwide reputation is not just a draw for talented Canadian students; the Teach-in-China Program is helping to attract top Chinese students to Toronto.

Xue Yan completed her LLB and LLM at Southwest before beginning her Doctor of Jurisprudence (DJur) at Osgoode in September 2000 — one of two Southwest graduates currently on campus. Yan credits her decision to attend Osgoode to Angus, for whom she worked on a translation project in the late 1990s, and the first Teach-in-China participants, Simon Kwan and Carolyn Laws, who taught English at Southwest in 1994.

"I remember Simon saying 'Osgoode is the number one law school in Canada.' That's not the kind of claim you easily forget," says Yan.

While Yan was prepared for and is thriving on the participative learning experiences that characterize Osgoode's curricula, Barnet and Khan say this poses the greatest challenge in the Southwest classroom. "I think my students are used to a more classical education," offers Barnet from China, "though they are learning to think critically, ask interesting and thoughtful questions of each other and generally participate more."

Khan agrees the students are now responding well to both the subject matter and the teaching, but admits some key challenges remain.

"They don't understand why they can't talk on their cell phone in class. They listen very attentively when I am speaking, but not so much to each other. They are very timid about making mistakes, doing it wrong or losing face in front of fellow students."

Southwest Vice President Zhuo agrees the two schools are worlds apart when it comes to administration, teaching style, study methods and curriculum. Southwest University enrolls 15,000 students annually and has graduated more than 100,000 over the past 50 years. As many as 1,000 faculty and staff work on campus.

It's these very differences, though, that keep the Teach-in-China Program humming.

Now that changes for the better have been made to programming, Professor Li intends to turn her attention to attracting even more top-flight graduates to the effort. The odds aren't in her favour.

"There's more pressure than ever to go out and work immediately following graduation to pay off student loans," she says. "Teaching in China doesn't provide extra money to do this."

Indeed, Barnet and Khan are remunerated for their work and provided with complimentary international air travel to Chongqing and return, a rent-free apartment and meal subsidies, but their salary — generous by Chinese standards — leaves little left over for anything more than local travel and sightseeing.

Li is considering partnering with Toronto law firms so alumni can return to a secure articling position, much like Barnet will next September. Or, the firm may consider paying the student a stipend while abroad. She also hopes to secure the necessary financing to send up to six students a year to Southwest and to pursue similar partnerships with other Chinese law schools.

For now, though, the focus is on ensuring Barnet and Khan find a rhythm in their home away from home, that their experiences and those of Southwest's students are as enriching as possible.

Just a few weeks ago, Khan wrote with the news that a Southwest doctoral student by the English name of Jim had given her a Chinese name — pronounced "Jing Yue," it means peaceful moon. "I don't know how to pronounce it very well, but I'm going to learn," professes Khan. "It's funny the power of names and being named."

"Now, at last, I feel like I belong here somehow." ☀



Ummni Khan and Lisa Barnet
in Stone Forest, Lijang



Ummni Khan



Left to right: DJur student Xue Yan,
Professor Emeritus Bill Angus,
Professor Jinyan Li



by Dean Jobb Photography: Michael Creagen

Bernd Christmas '91:

His Life's Work is Helping his Native People

Bernd Christmas '91 was at a crossroads. The young Mi'kmaq enrolled in Osgoode Hall Law School in the late 1980s eager to become a criminal lawyer, so he could help aboriginal people who were in prison or in trouble with the law. Just a few months into the program, though, he was having second thoughts.

A chance encounter with one of his professors, Allan Hutchinson, put him back on track.

"We had a quick talk because I was saying that I was a bit frustrated about what I was doing in law school," Christmas recalls. Hutchinson, who teaches civil procedure, tort law and jurisprudence, suggested that he step back and focus on the bigger picture; proficiency in other fields of law, like constitutional and corporate-commercial, he noted, would enable Christmas to help far more native people, not just individuals charged with crimes.

It was just the advice Christmas needed. "Something twigged in me," he says, "and the rest of my time there, the other two and a half years, I did that, I started focusing on learning to become a lawyer who would know all areas of the law."

A dozen years after he graduated with his LLB in 1991, Bernd Christmas is using his corporate-law savvy to help a lot of native people. The most immediate beneficiaries are the 1,000 members of Cape Breton's Membertou First Nation, where he holds the post of Chief Executive Officer. Since 1995 he has been forging partnerships with some of Canada's biggest corporations to create jobs and economic spin-offs for the band.

On a larger stage, the "Membertou vision" of community development and economic self-reliance has become a model for natives across the country. Christmas has introduced corporate principles of accountability and strategic planning and put Membertou's finances in order – a band that was \$1 million in debt in 1995 now administers a \$20 million budget. More importantly, he has used Mi'kmaq claims to lands and resources as an incentive to bring the private sector to the negotiating table. No wonder Canadian Business magazine has dubbed this 40-year-old father of two young sons "the most powerful guy in Atlantic Canada."

Membertou is situated on a barren patch of land near

Sydney, N.S., but Christmas spends part of each week at the band's corporate offices in a downtown Halifax tower, where he meets big business on its home turf. In a corner office with a commanding view of Halifax Harbour, Christmas explains that the Membertou vision is based on "four pillars: conservation, sustainability, innovation and success." Conservation and sustainability flow from the Mi'kmaq tradition of environmental stewardship, he says, while the others reflect business-world concepts of revenue and profit. "We're trying to bring old and new together and, at the same time, make sure that our people are taken care of."

Christmas was born in Germany; his father, originally from Membertou, had met and married a German woman while stationed there as a Canadian Forces radar technician. Later, during a posting to a base near Sydney, the family lived on the reserve among his aunts, uncles and cousins. Christmas was a teenager and, even though they were there only a few years, he forged a deep attachment to the community.

He studied business administration in college but wound up working with native inmates, a role that awakened an interest in his heritage and opened his eyes to the barriers aboriginal people faced in the court system. After completing a pre-law course for native students, Christmas was accepted at Osgoode. He graduated in 1991 and joined the aboriginal law section at Toronto legal powerhouse Lang Michener, where he honed his deal-making skills.

The move from Bay Street to Membertou came in 1995, when band chief Terrance Paul phoned. Paul was assembling a team to overhaul band operations and he wanted Christmas to come home. While it meant abandoning a promising and lucrative career in corporate law, Christmas says the decision was relatively easy to make. "The opportunity to work for your own people was something really quite appealing."

Confrontation and blockades are not Christmas's style, but he's quick to remind companies doing business in Nova Scotia that his people never signed a treaty bartering away their land. And the Supreme Court of Canada's landmark 1999 Marshall

Cont'd on next page

ruling on native fishing rights has unleashed claims to other resources – minerals, forests, offshore oil and gas. For Christmas, those claims are all the leverage he needs to convince corporations that joining forces with Membertou makes good business sense. “We’re trying to develop relationships,” he explains, “but you still want to assert that you have certain rights, certain privileges. All we’re asking is to be a part of it.”

These days Membertou is part of a lot of the action on the East Coast. A deal with Atlanta-based Georgia Pacific gives Membertou jobs and a per-tonne royalty on gypsum produced at a Cape Breton mine. SNC Lavalin has signed a joint venture to pursue environmental services work. Food services giant Sodexo Inc. and the band are bidding on catering contracts for offshore drilling rigs. Halifax’s Clearwater Fine Foods Inc. processes and distributes the band’s snow crab quota, while Lockheed Martin Canada has promised engineering and maintenance jobs to Membertou if it wins a \$2.8 billion contract to replace the navy’s fleet of aging Sea King helicopters.

The deals have slashed unemployment on the reserve to about 30 per cent from a mid-1990s level that approached 80 per cent. In 2002 Membertou became the first indigenous government in North America, if not the world, to earn ISO 9001 certification for management excellence – and bragging rights that are sure to attract more business deals.

“I just believe in the motto, ‘Go to the top and get commitments and get things moving,’” Christmas says of his success. The people on the other side of the table praise his mixture of passion and professionalism. “He is a potent adversary,” notes Constance Marlatt, a partner in the law firm Gowling Lafleur Henderson who represented Georgia Pacific in the negotiations over the mine. “This is his life’s work, to improve the economic opportunities available for his people.” Marlatt thinks his future may lie in politics. Christmas, for his part, plans to keep his current job for the foreseeable future. “Membertou,” he says simply, “is my home.” ❁

Osgoode’s One-of-a-Kind Aboriginal Law Program

Each January an adventurous band of third-year law students leaves Osgoode Hall Law School and fans out across North America and, sometimes, as far afield as Africa. Their destinations range from big-city law firms to remote First Nations communities, but their common goal is to gain first-hand experience in aboriginal law.

Under the Intensive Program in Aboriginal Lands, Resources and Governments, established in 1993, graduating students can sign up for seven-week work placements with native groups and bands, government agencies, environmental groups, law firms and the judiciary. About half of the 56 students who have completed the program to date have been drawn from other law schools across Canada.

The program’s co-director, Professor Shin Imai, says the impetus came from students with an interest in aboriginal law, an Osgoode specialty. The only program of its kind in North America, it is open to aboriginal and non-aboriginal students. Participants tackle land claims, treaty rights, housing and a host of other issues, either from the point of view of native bands or government. Last year one student helped draft a culturally appropriate entrance exam for Nunavut’s new law school, while another was posted to an isolated native community in Nevada that’s asserting a treaty right to cattle ranges.

Former student Kristyna Bishop (’97), who worked with Botswana’s bushmen during her placement, went on to help found the U.S.-based First Peoples Worldwide. “The Osgoode program has enormous value for young lawyers because it allows for a rare opportunity to apply some of the skills learned in law school to the so-called real world,” says Bishop, who now works on indigenous issues for the Inter-American Development Bank in Washington, D.C.

A key to the program’s success is preparation. Before heading off to their placements, students assemble at Osgoode for a two-week crash course tailored to the needs of their sponsors. “When they show up for the first day (of a placement), they know the area of the law and they know some of the politics around it,” notes Imai who, along with co-director Professor Gordon Christie, strives to ensure each student makes a contribution. Students keep in touch by e-mail during their placements and return to Osgoode to complete a research paper and share their experiences in a class presentation.

Imai says the program builds cultural bridges, as well as legal ones, to connect aboriginal peoples with mainstream Canada. Sponsors often complain that seven-week placements are too short, he adds, “which means it’s working.”



Gillian McCullough: Osgoode's new director of alumni relations

The new director of alumni relations at Osgoode says the business of managing alumni is just that, which is why she has big plans for building a more strategic, constituent-based program.

Gillian McCullough, BA'97, who joined Osgoode in January 2002, says it makes good business sense to establish an understanding of those you serve. "We need to complete some detailed research about the needs and wants of Osgoode alumni and the Law School before committing resources to continuing and new initiatives."

She adds: "It's critical that we give graduates what they want from their Alumni Association."

A graduate of York's kinesiology and health science program, McCullough has spent the past five years building her alma mater's advancement program, most recently as manager of York's affinity services program. In this role, she saw a 49 per cent increase in revenue resulting from a strategic revamping of the University's affinity programs.

This followed seven years as a member of Canada's Women's Field Hockey Team, a life-changing experience that McCullough says helped cultivate motivational, team-building and leadership skills of equal value on the field and in the office. (Now married, she and her husband, Matt, enjoy skiing, golfing, jogging and spending time at their Muskoka cottage property with their two dogs.)

"Anyone playing at that level of sport is continuously striving for excellence. You're committed to a larger goal, but also to understanding your own personal role in achieving success."

Indeed, in the year since taking over Osgoode's alumni relations portfolio, 30-year-old McCullough has demonstrated a clear vision of what needs to get done.

In September, the alumni team launched a comprehensive Web site that features news, special events, tools like classmate-finder, address change and donations forms and volunteer opportunities expressly for alumni.

McCullough also developed an annual Dean's newsletter, sent to alumni for the first time in July. This, along with an extremely successful Homecoming 2002 and celebrating eight class reunions.

But it's where she's planning to take the alumni program in the coming years that is turning heads.

In addition to early research efforts that will help prioritize existing programs and services, McCullough plans to focus in the next 12 months on alumni-student interaction. This includes expanding the eight-year-old mentor program that this year matched 220 first-year students with upper-year advisors and alumni mentors. If all goes as planned, beginning in September, alumni will have the opportunity to also support upper-year students one-on-one.

"Second and third-year students will be able to select alumni mentors from a database," says McCullough. Their choice will hinge on what they'd like to gain from the relationships – discussions of particular courses, an especially taxing assignment, where to article, career paths, the day-to-day practice of the law, whatever strikes their fancy.

Longer-term, McCullough predicts an even more focussed approach toward meeting alumni needs and wants. While traditional means of alumni involvement like reunions aren't likely to change, she says graduates' expectations of their School will. Already, Osgoode is seeing more pronounced interest in mentorship, volunteering and continuing education. Because there's no one recipe for success, McCullough and her team are beginning to think about the many ways to reach out to alumni so marketing efforts are more focused.

It's an awesome task but one the new director says is helped along by Osgoode's exceptional alumni.

"Osgoode alumni are highly committed to the School. Most had a very positive experience here; they keep in touch with each other and are keen to reconnect with the Law School. All of this makes my job a whole lot easier." ☼

INTRODUCING TWO NEW FACULTY



Carys Craig

LLB (Edinburgh) LLM (Queen's)
SJD candidate (Toronto)

Coming from Edinburgh, Scotland, people often ask how it is that I managed to end up here at Osgoode Hall Law School. I first became aware of Osgoode during an exchange year that I spent studying law at McGill University. I was at

the Law Games, attempting to grasp the basics of ice hockey, and Osgoode was the (triumphant) competition. I fell in love with Canada and, after completing my LLB Honours at the University of Edinburgh, I decided to return to pursue my LLM at Queens University. After completing a thesis on Fair Dealing and the Purposes of Copyright Protection, I went on to the University of Toronto, where I joined the SJD program as a Fellow of the Centre of Innovation Law and Policy.

In the summer of 2001, Shelley Gavigan, then Associate Dean, called out of the blue to ask whether I would be willing to teach Copyright Law at Osgoode that fall semester. I jumped at the opportunity. That semester confirmed the wonderful things that I had already heard about Osgoode and its students. When I was offered a full-time position the next spring, I couldn't have been happier. For me, Osgoode embraces a vision of law and its role in society that makes it the perfect place for learning about and for teaching law.

I am now teaching Copyright Law and will begin teaching Trademark Law this year. I am also looking forward to playing a part in Osgoode's Professional Development Program, and a 'global classroom' on Internet Regulation. In addition, I continue to work on my doctoral thesis, which examines the central assumptions of copyright from the perspective of communication, culture and public interest theory. Juggling these various tasks is certainly challenging, but I am very much enjoying learning my way around. My family and friends from Scotland are also very much enjoying their guaranteed free lodgings at their favourite holiday destination!



Shelley Kierstead

LLB (New Brunswick)
LLM (Toronto) DJur candidate
(Osgoode)

I joined Osgoode Hall Law School as a Sessional Lecturer in the Legal Research and Writing Program in 1993, and have been involved with the School in a number of capacities since that time.

After teaching Legal Research and Writing for three years, I became involved with an exciting family law initiative, called the Parent Information Program, which operates under the auspices of Osgoode's Centre for Public Law and Public Policy.

The Parent Information Program consists of seminars facilitated by lawyers and social workers. Within the seminars, the facilitators provide separating parents with an overview of information about the family law regime in which they have either become involved or are contemplating involvement.

I have had the pleasure of working as the Coordinator of this program since 1997, and I am pleased that the research conducted to date suggests that participants perceive the seminars as extremely valuable.

The doctoral program in which I am enrolled at Osgoode complements my work with the Parent Information Program by focusing on the potential integration of parent education programs into the Canadian family law system.

In keeping with my interest in family law, I have, for the past three years, also taught the Family Law course at Osgoode as an adjunct faculty member. With so many changes occurring in the family law area, it is a particularly exciting time to be teaching this course.

In the fall of 2002, I returned to the Legal Research and Writing Program. As Director of the program, I have the opportunity of working with nine Legal Research and Writing instructors, who deliver the small group workshop components of the course while I conduct large group lectures. We have a talented and dedicated group of instructors, most of whom are enrolled in Osgoode's Graduate Program in Law. As a team, we are committed to exposing students to the research and writing skills that will help them to excel both during and after Law School.



The J. Edward Thompson, Q.C. Classroom

"So much of Ted's life was dedicated to the law, it seemed fitting that his memory be honoured in the place it all began: Osgoode," said Rita Thompson, wife of the late J. Edward (Ted) Thompson (1944-2002). The gift to the Law School will name Room 107, the J. Edward Thompson, Q.C. Classroom.

Ted Thompson graduated from Osgoode in 1974. He began his long and distinguished career in the Department of Justice as an articling student, and after his call to the Bar, he continued working for the department as a civil litigator and a criminal prosecutor. Ted's exceptional abilities did not go unnoticed, and in 1982 he was appointed General Counsel, Group Head of the Civil Litigation Section. In 1986 he was promoted to Director and Senior General Counsel of the Ontario Regional Office (Toronto) – then known as the Toronto Regional Office. He moved to Ottawa, in 1993, to accept the role of Assistant Deputy Attorney General, Civil Litigation and from 1997 until his untimely passing, he was the Assistant Deputy Minister, Business Law, and Counsel to the Department of Industry.

His legal career was impressive and his list of professional accomplishments lengthy. He represented the government with distinction in numerous important cases. However, as Osgoode Dean Peter Hogg remembers, "Ted was more than a talented lawyer. He was an energetic and engaging individual who was always caring and respectful of others." Ted's clients, colleagues and staff echo these sentiments and remember him "for not only his integrity and outstanding abilities as a lawyer but for his humanity, courage and unselfishness." Ted was a voracious reader and an avid movie buff, but it was his wife and two sons, Adam, 27, and Aidan, 21, whom he enjoyed most.

This is the fourth classroom to be renovated at Osgoode, and the first to be named in honour of an alumnus. The J. Edward Thompson, Q.C. Classroom will be renovated this summer and, like Osgoode's other high-tech classrooms, will incorporate the latest technology.

Student Financial Assistance

Whether it is a bursary for a student in need or a scholarship to recognize outstanding academic talent, providing student awards is one of the highest priorities of the Law School. We are grateful to the alumni and friends who have established the following awards.

Bursaries

Rudolph P. Bratty Award

Rudolph P. Bratty (LLB '57) has generously given his time and support to numerous charitable organizations. He has donated this award to Osgoode to assist students registered in the LLB program who have demonstrated academic achievement and financial need.

Peter W. Hogg Graduate Award

The Peter W. Hogg Graduate Award was established to provide financial assistance to students in the Osgoode Hall Law School Masters (full-time research) and Doctoral programs. It will be awarded on the combined basis of financial need and a strong academic record.

Osgoode Hall Law School Alumni Association Board Bursary

The Board of Directors of Osgoode Hall Law School Alumni Association is dedicated to advancing the Law School, its alumni, faculty and students. The Association recognizes that the pursuit of excellence is achieved through a partnership between the Law School and its alumni. The award will be given annually to an Osgoode student who has good academic standing and demonstrates financial need.

Albert Weisbrot, Q.C. Bursary

A first generation Canadian, Al Weisbrot loved the law, as a student and as counsel. He excelled at Osgoode, graduating in 1959 as a member of Dean Charles Smalley-Baker's 'York Volunteers.' Specializing

in Family Law, he was well known as a compassionate advocate. This bursary has been established to assist an LLB student in financial need.

James D. Young, Q.C. Memorial Bursary

This bursary was established in memory of James D. Young, Q.C. (LLB '69) by his sons, Harley and Michael, and his daughter Erica (LLB '00). After graduation from Osgoode, Jim returned to Thunder Bay, Ontario where he practised as a barrister for more than 25 years. This bursary will be awarded annually to a student entering the first year of the LLB program who demonstrates financial need. First preference will be given to a student from northwestern Ontario and then to a student from out of province.

Continued on next page



The Honourable Henry N.R. Jackman Honours

Former Ontario Lieutenant Governor Henry N. R. Jackman was only nine years old when his famous grandfather, Newton Wesley Rowell, died in 1941, so his childhood memories of the great Canadian jurist and statesman are scant.

In the ensuing 62 years, however, Jackman has had many opportunities to read about his grandfather's achievements and hear stories about Rowell's outstanding service to Ontario and Canada.

It has made Jackman intensely proud of a man he knew only briefly but who was admired by so many.

Jackman uses phrases such as "a very distinguished lawyer and jurist ... virtually self-educated ... a literary and educated person ... well known for his

courtroom appearances" to describe his grandfather who graduated from Osgoode Hall Law School in 1891; was elected to the Ontario legislature in 1911; served in the Canadian House of Commons from 1917 to 1921 and was a Cabinet member in Sir Robert Borden's Union government.

In 1936, Rowell became Chief Justice of Ontario, and in 1937 he was appointed by Prime Minister William Lyon Mackenzie King to head the Royal Commission on Dominion-Provincial Relations. He was forced to resign in 1938 due to ill health, and was replaced as chairman by Joseph Sirois. The Rowell-Sirois Report, which came out in 1940, called for an expansion of Dominion responsibilities – contrary to earlier Liberal party policies.

To honour his grandfather's memory and contribution to Canada, Jackman has given \$250,000 to establish the Newton R. Rowell Graduate Scholarship in Law. It will be awarded annually to qualifying full-time students reg-

Student Financial Assistance

Continued from page 25

Scholarships

Dale Lastman Scholarship in Corporate Governance

This scholarship was established to honour Dale Lastman (LLB '82), who has distinguished himself as a lawyer, teacher and outstanding alumnus. It will be awarded annually to the student who achieves the highest standing in the seminar Corporate Governance.

The J. Edward (Ted) Thompson, Q.C. Memorial Scholarship

This scholarship has been established in memory of J. Edward (Ted) Thompson (LLB '74) by his family, friends and colleagues. Following graduation, he had a long

and distinguished career with the Department of Justice, initially as a criminal prosecutor and civil litigator, and ultimately as Assistant Deputy Minister, Business Law. The scholarship will be awarded annually to a student entering the third year of the LLB program who has attained the highest standing in the program of Litigation, Dispute Resolution and the Administration of Justice.

Prizes

Aird & Berlis LLP Prize in Contracts

This prize was established through the generosity of the law firm of Aird & Berlis LLP. The prize will be

equally divided and awarded annually to the first-year student with the highest standing in each of the sections of Contracts.

Caleb J. Hayhoe Prize

Caleb Hayhoe graduated from Osgoode Hall Law School in 1962 and went on to a successful career in international law at Baker & McKenzie. To celebrate his retirement and to honour their colleague, the law firm of Baker & McKenzie has endowed this prize. The prize will be awarded annually to the student who obtains the highest standing in the course International Business Transactions.

the Memory of his Grandfather

istered in the Graduate Program in Law who have demonstrated academic excellence. The investment income, which is matched by the provincial government, will support students who have been awarded an Ontario Graduate Scholarship (OGS). Preference will be given to students pursuing studies in Alternative Dispute Resolution (ADR).

Osgoode Dean Peter Hogg noted that this generous gift “really makes a difference to us” in that it helps with three objectives. “The first is to provide more support for graduate students, who do not have the same level of scholarship funding as the LLB students. The second is to provide encouragement for the study and practice of alternative dispute resolution, which is often speedier, cheaper and more appropriate than the courts. And the third is to gain access to government matching funding for graduate scholarships.”

It was the emphasis on ADR that Jackman says clinched his decision to establish the scholarship.

“I was very impressed with the Dean’s and the School’s commitment to the teaching of Alternative Dispute Resolution,” Jackman says. “The cost of litigation really has gone beyond the ability of the average Canadian to take advantage of it. ADR may well be an answer for the future.”

National Association of Japanese Canadians (NAJC) and Roger Sachio Obata C.M. Prize in International Human Rights Law

Roger Sachio Obata, C.M., B.A.Sc., P.Eng. (1915-2002), a highly respected leader in the Japanese Canadian community and former National President of the NAJC, was the founding Chairman of the Japanese Canadian Committee Democracy (JCCD), which later became the NAJC. This prize was established in his honour by the friends of Roger Obata and the NAJC. It will be given annually to the student who obtains the highest standing in the course International Human Rights.

Simms Shuber Prize

Simms Shuber graduated from Osgoode Hall Law School with high honours in 1960 for which he was awarded the Bronze Medal. His family and friends have established this prize to honour his life and many achievements. It will be awarded annually to the student achieving the highest standing in the seminar Corporate Governance.

Albert Weisbrot, Q.C. Prize

Al Weisbrot graduated from Osgoode in 1959 and went on to a distinguished career in Family Law. This prize has been established to honour Al’s scholastic and professional achievements. It is awarded annually to the student who attains the highest standing in an advanced Family Law course.

1930	John C. Risk
1937	Donald H. Lamont
1941	W. Stewart Rogers
1944	Ross V. Smiley
1947	M. Douglas Morton
1947	Samuel H. Hughes
1947	Gordon A. Halladay
1947	Francis Costello
1947	James W. Costello
1948	W. Hamilton Grass
1949	George S. Boychyn
1950	Richard E. Holland
1950	David H. Jack
1951	Cecil Foreht
1953	Roderick I. Smith
1953	Jack A. Fader
1954	Ronald B. Warren
1955	Paul W. Mingay
1956	Eric R. Lovekin
1956	Frederick P. Stein
1957	Murray Greenbloom
1958	Donald J. McKillop
1959	Peter H. MacEwen
1960	Stephen R. Paddon
1962	Barry B. Widman
1972	Michael V. Akai
1974	J. Edward Thompson
1976	M. A. Heller
1980	Anna Pellatt
1992	Michele J. Depass Lund
1995	Mariellen J. Black

The name of Eleanor Meslin '77 erroneously appeared in the In Memoriam section of the Winter 2002 issue of Continuum. We apologize for the mistake.

Homecoming and Reunions

Class Reunions

The 2002 Homecoming & Reunion Weekend kicked off the morning of Friday, September 27 with a Class of 1967 golf tournament in the pouring rain at Copper Creek, and ended on Sunday, September 29 in the wee hours of the morning with a Class of 1992 party at Toronto's Club 606.

In between, the Classes of 1972, 1977, 1982 and 1987 held their own reunions across the city in venues such as a converted billiard company and historic Convocation Hall.

Prior to Homecoming, the Class of 1947 celebrated their 55th Reunion on Thursday, June 15 with a luncheon at the Albany Club. It was wonderful to see a large majority of the remaining classmates gathering for a memorable day.

Wrapping up the 2002 reunion season was the Class of 1957 who gathered for their traditional "stag" on the Friday night before gathering for a formal dinner the next night at the Ontario Club to celebrate their 45th reunion.

A large number of dedicated volunteers assisted with these reunion events. Thanks to everyone who helped, and thanks also to everyone who attended.

Plans are already under way for this year when the Classes of 1948, 1953, 1958, 1963, 1968, 1973, 1978, 1983, 1988 and 1993 will celebrate their reunions. Save the dates: October 3 and 4, 2003.

Class Gifts

Class reunions are special events that bring together old friends and celebrate accomplishments. The following classes decided to commemorate their reunions in 2002 with a class gift. Each gift will be used to fund a student award at Osgoode Hall Law School. We are extremely grateful for the outstanding effort and generosity of these classes.

<u>Reunion</u>	<u>Class</u>	<u>Final Total</u>
35th reunion	1967	\$15,850
30th reunion	1972	\$76,355
25th reunion	1977	\$13,400
10th reunion	1992	\$26,275



union Weekend 2002

Homecoming

Osgoode Hall Law School hosted its 2nd annual Homecoming on Saturday, September 28, 2002. The event brought together students, alumni and friends to jointly celebrate the history, tradition and accomplishments of the Law School.

To those who attended – we hope you enjoyed your visit back to Osgoode, and please make sure to spread the word and come back again. For those who could not make it, here are some photos of what you missed.



Don't Miss Homecoming & Reunion Weekend 2003!

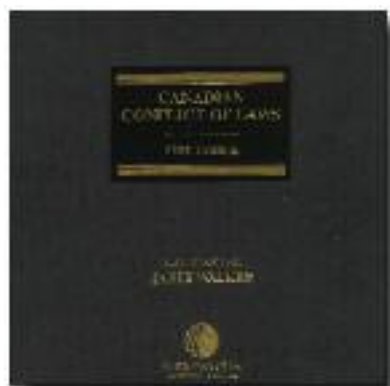
What do you get when you take 15,500 alumni, 114 years of tradition, exceptional alumni being honoured with Gold Key Awards, a fabulously entertaining keynote speaker, open doors to the Law School, music, food, friends and faculty? The biggest weekend ever at Osgoode Hall Law School!

Homecoming & Reunion Weekend 2003
Friday, October 3 and Saturday, October 4

Featuring keynote speaker **David Foot**, author of the best-selling books *Boom, Bust & Echo: How to Profit from the Coming Demographic Shift* and the updated paperback, *Boom, Bust & Echo: Profiting from the Demographic Shift in the 21st Century*.

Please visit our Web site www.osgoodealumni.ca for updates and to register.

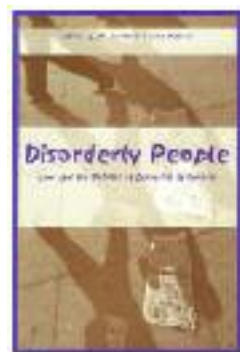
New Books by Osgoode



Castel, J.-G. and Janet Walker (eds.). **Canadian Conflict of Laws**, Fifth Edition. Butterworths, 2002.



Fudge, Judy and Eric Tucker. **Labour Before The Law: The Regulation of Workers' Collective Action in Canada, 1900-1948**. Oxford University Press, 2001.



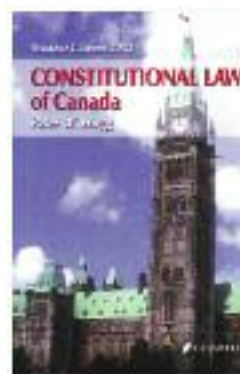
Hermer, Joe and Janet Mosher (eds.). **Disorderly People: Law and the Politics of Exclusion in Ontario**. Fernwood Publishing, 2002.



Castel, J.-G. **Introduction to Conflict of Laws**, Fourth Edition. Butterworths, 2002.



Geva, Benjamin. **Bank Collections and Payment Transactions: A Comparative Legal Analysis**. Oxford University Press, 2001.



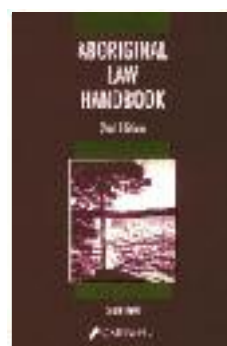
Hogg, Peter W. **Student Edition 2002 Constitutional Law of Canada**, Fourth Edition. Carswell, 2002.



Cossman, Brenda and Judy Fudge (eds.). **Privatization, Law, and the Challenge to Feminism**. University of Toronto Press, 2002.



Geva, Benjamin (ed.). **Banking and Finance Law Review: 2001-2002**. Carswell, 2002.



Imai, Shin. **Aboriginal Law Handbook**, Second Edition. Carswell, 1999.

Faculty Members



Li, Jinyan et al. **Electronic Commerce and Multijurisdictional Taxation.** Kluwer Law International, 2001.



Monahan, Patrick. **Constitutional Law, Second Edition.** Irwin Law Inc., 2002.



Monahan, Patrick J., Thomas, Aneurin and Zemans, Frederick H. **A New Legal Aid Plan For Ontario: Background Papers.** York University Centre for Public Law and Public Policy, 1997.



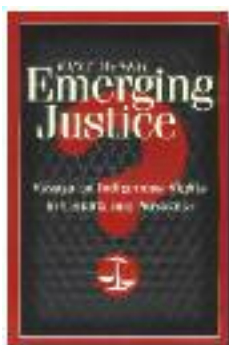
Mandel, Michael. **Afghanistan: Detta krig är olagligt och omoraliskt.** Lunds Socialdemokratiska Studentklubb, 2002.



Scott, Craig (ed.). **Torture as Tort: Comparative Perspectives on the Development of Transnational Human Rights Litigation.** Hart Publishing, 2001.



Monahan, Patrick J. and Zemans, Frederick H. **From Crisis to Reform: A New Legal Aid Plan For Ontario.** York University Centre for Public Law and Public Policy, 1997.



McNeil, Kent. **Emerging Justice: Essays on Indigenous Rights in Canada and Australia.** Native Law Centre, University of Saskatchewan, 2001.

For a complete list of faculty publications, please see "Faculty & Research" on Osgoode's Web site: www.osgoode.yorku.ca

50's

Weinstein, Ben LLB '57 is counsel to Conway Kleinman Kornhauser in Toronto.

60's

Rosenberg, Q.C. Morley A. LLB '63, former mayor of Kitchener and councillor for 15 years. Mr. Rosenberg has just retired from the Ontario Municipal Board after 19 years of public service. He lives in Toronto and is now offering his services as a consultant and mediator in municipal and administrative matters.

70's

LeVine, Ronald I. LLB '72 has his own law practice in Hackensack, New Jersey.

Cleland, E. Gordon LLB '74 practices US tax law especially for Canadians in Monroe, CT.

Priebe, Klaus LLB '75 has been running his own Offshore Consulting Business and has been named Honorary Consul to Barbados for Luxembourg. He invites any alumni travelling to Barbados to look him up.

Morley, Susan LLB '79 closed her coaching business after five years to join CDI Education Corporation as the Director of the Scarborough College for IT Training.

80's

Alderson, David LLB '80 is in Dubai and practises with legal consultants Afridi & Angell, primarily in commercial litigation and arbitration matters. After earning an LLM (London): Commercial and Corporate Law in '87, David was admitted to practice in England & Wales (1988) and Bermuda (1998). He and his wife, Christine, have a daughter, Della Blossom.

Carr, Philip E. BA '77, LLB '80 is an associate lawyer at McCaffery Goss Mudry. He is president of the Mount Pleasant Community Association and is currently living in Calgary with his wife, Linda Carr (BBA '80) and their three children: Geoffrey, 17, Douglas, 13, and Gillian, 11.

Keefner, Mary-Ann LLB '80 has joined the Windsor office of Miller, Canfield, Paddock and Stone P.L.C. as an associate. Her practice is focused on real estate, commercial, and estates and wills.

Park, J. Jay LLB '80 is a partner with Macleod Dixon in Calgary.

Fischer, Philip LLB '83 is the Chairman and CEO of Lobatse 2000 in Northlands, South Africa.

Carter, Craig LLM '86, is a senior partner at Fasken Martineau DuMoulin LLP who has received the Ontario Bar Association's Award for Excellence in Real Estate for his many contributions to the field.

Ferguson, Phil BA Hons '83 LLB '86, MES '97 was formerly executive director at the Canadian Urban Institute. He is currently a PhD student at the University of Waterloo. He and **Thea Koshman** BA '84 LLB '87 recently married.

Pengilly, Penelope LLM '88 is a partner in the Commercial Dispute Resolution department of Holding Redlich in Melbourne, Australia.

90's

Feliciant, David J. LLB '90 is now Senior Counsel at the Children's Aid Society of Hamilton, managing a department of eight lawyers.

Russo, A. Joseph LLB '90 and his wife, Isabella, are happy to announce the birth of their second child, Joseph Pasquale Russo, on December 19, 2001.

Siddall, Evan William LLB '90 has been appointed Managing Director and Head of Goldman Sachs mid-market merger and acquisitions business in New York City.

Cole, Emily LLB '91 joined the Ontario Securities Commission as litigation counsel in the Enforcement Branch. She left Smith Lyons (now Gowlings) where she was a senior associate in the Advocacy Group.

Pfuetzner, Jennifer LLB '93 is a partner in the law firm of Dickson, MacGregor, Appell & Burton in Toronto practising in the estates and trusts area.

Renwick, G. Paul LLB '93 is an assistant crown attorney for the Ministry of the Attorney General in Newmarket.

Laws, Carolyn LLB '94 is a legislative attorney with the Congress of the Federated States of Micronesia.

Mackay, Euan LLB '94 continues to practice criminal, civil, and corporate law in Nunavut from his office in Iqaluit. He was married to Gabriela Viamontes Calzada in Camaguey, Cuba on December 30, 2001.

Da Costa, Antunes Christine LLB '94 and her husband, Dion Lambert, are proud to

announce the birth of their first child, Matthew Cole Lambert, on January 24, 2002.

Baumgartner, Andrew LLB '95 MBA '95 is leaving his current position as a lawyer in the financial services sector to teach high school or college law and business courses. As such, he will be attending York's Faculty of Education in Mississauga in the 2002/03 academic year.

Cohen, Russell LLB '95 left Davies Ward Phillips & Vineberg LLP in Toronto at the end of 2001 and joined Heller Ehrman in San Francisco, where he has been practising anti-trust litigation. The move has been fabulous for Cohen and his wife, Lynette.

Kuzz, Erin LLB '95, along with a partner and two associates, has formed her own management-side labour and employment law firm in Toronto. Please feel free to contact her at erkuzz@sherrardkuzz.com

Lam, Lisa Mun-wai LLB '97 is an associate in the Shanghai office of White & Case LLP and would love to get together with any other alumni in the area.

Sharma, Rajeev BA Hons '93 LLB '97 is an associate at a Toronto law firm specializing in international trade and arbitration law involving the NAFTA and WTO agreements. Sharma is also an adjunct professor of law and economics at Glendon College of York University.

Clark, Jenna LLB '98 is a lawyer with the Department of Justice in Toronto.

McIntyre, Shelley D. BA '95 LLB '98 is a lawyer who provides legal representation to children in custody access and child protection matters.

McAleese, Seann BA Hons '96 LLB '99 is a lawyer at Hicks Morley in Toronto.

Nemetz, Steven LLB '80 MBA '81, LLM '99 is chair of the Intellectual Property Law group at the Toronto law firm of Blaney McMurtry LLP. He is also actively involved with the entertainment, media and communications section of the Ontario Bar Association.

00's

Nowak, Rafal LLB '02 MBA '02 is a student-at-law at Torys LLP.

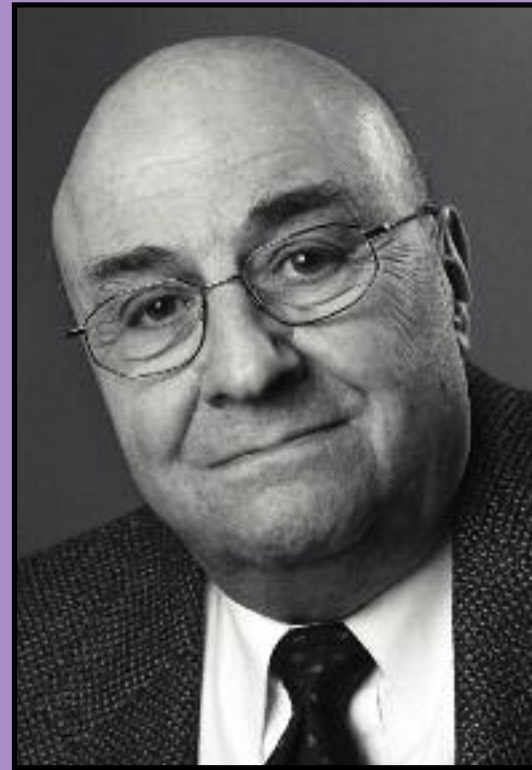
In Honour of Three Outstanding Osgoode Alumni



Arthur R. A. Scace, Q.C. '65



The Hon. Hilda M. McKinlay '66



Austin M. Cooper, Q.C. '53

Thursday, February 20, 2003
Arcadian Court
Hudson's Bay Queen Street Store
401 Bay Street, 8th Floor Simpson Tower
Cocktails: 6:00 p.m.
Dinner: 7:00 p.m.
Black tie welcome
\$125 per person
RSVP by February 6, 2003
Tel: 416-736-5638 Fax: 416-736-5629
E-mail: alumni@osgoode.yorku.ca

Visit the Osgoode Web site for more information including award recipient biographies:
<http://www.osgoodealumni.ca/awardofexcell.htm>

To register online for the Award of Excellence Dinner, please visit:
www.osgoodealumni.ca

Introducing our Cool New Alumni Web Site

Check out the new Osgoode Alumni Web site at:

www.osgoodealumni.ca

We're thrilled with it and we hope you are, too.

Launched in September 2002, the site contains more than 100 pages of news, information and services.

Discover programs and event news. Send us updates on your successes.

Participate in surveys. Make online gifts.

Volunteer for the Law School and more.

If you have photos you think would enhance the Web site or suggestions for further online improvements, please e-mail us at alumni@osgoode.yorku.ca

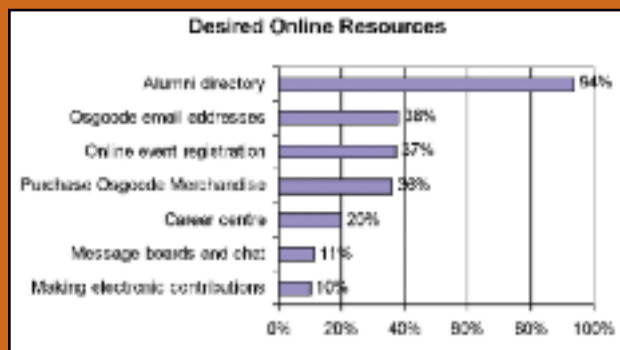
We'd love to hear from you!

2002 Alumni Survey Results

In the summer of 2002, Osgoode Hall Law School Alumni Association surveyed 15,000 alumni in an effort to discover what programs and services they value. Alumni from all decades, going back as far as the Class of 1931, and all corners of the world – New York, Texas, Barbados, Cayman Islands, China, Sweden and the UK – responded.

Overall, the results were very positive: 95% of respondents value their Osgoode experience and 83% are interested in reunions.

Responses to one question in particular about "desired online resources" (see chart at right) drove home the point that Osgoode alumni want more high-tech communication with fellow alumni and the Alumni Office. We are pleased to report that we are making steady progress in the use of technology and we will keep alumni informed of new technological developments as they occur.



For full results of the Osgoode alumni survey, please visit:
www.osgoodealumni.ca